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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/745,243	12/21/2000	Narendra Parikh	JBP514	8350
7590 06/05/2008				
Philip S. Johnson, Esq. Johnson & Johnson One Johnson & Johnson Plaza New Brunswick, NJ 08933-7003				
EXAMINER				
CHOI, FRANK I				
ART UNIT		PAPER NUMBER		
1616				
MAIL DATE		DELIVERY MODE		
06/05/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
09745243	12/21/00	PARIKH ET AL.	JBPS14

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EXAMINER

FRANK I. CHOI

ART UNIT**PAPER**

1616

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Commissioner for Patents

Notice of Non-Responsive and Non-Compliant Amendment is attached hereto

Notice of Non-Responsive and Non-Compliant Amendment

The reply filed on 7/12/2007 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Presentation of new claims constitutes a claim amendment. As such, in order to be fully responsive, the reply must indicate how the new claims avoid or overcome the prior art rejection. In this case, new claims 74, 75 and 76 were added, however, the reply does not appear to indicate how they overcome or avoid the prior art rejection. See 37 CFR 1.111(b).

Further, the amendment to the claims filed on 7/12/2007 does not comply with the requirements of 37 CFR 1.121(c) because claim 24 uses single brackets to represent deletion of “or the second coating layer”. Amendments to the claims filed on or after July 30, 2003 must comply with 37 CFR 1.121(c)(2) which states:

(2) *When claim text with markings is required.* All claims being currently amended in an amendment paper shall be presented in the claim listing, indicate a status of “currently amended,” and be submitted with markings to indicate the changes that have been made relative to the immediate prior version of the claims. The text of any added subject matter must be shown by underlining the added text. The text of any deleted matter must be shown by strike-through except that double brackets placed before and after the deleted characters may be used to show deletion of five or fewer consecutive characters. The text of any deleted subject matter must be shown by being placed within double brackets if strike-through cannot be easily perceived. Only claims having the status of “currently amended,” or “withdrawn” if also being amended, shall include markings. If a withdrawn claim is currently amended, its status in the claim listing may be identified as “withdrawn—currently amended.”

Strike-through or double brackets can be used to show deletions subject to the above requirements. There is no provision for the use single brackets.

The Examiner notes that any supplemental response should be made in view of the U.S. Supreme Court’s opinion in *KSR International Co. v. Teleflex Inc.*, 82 USPQ2d 1385, 1396, 1397 (U.S. 2007).

Since the reply filed on 7/12/2007 appears to be *bona fide*, applicant is given a TIME PERIOD of **ONE (1) MONTH** or **THIRTY (30) DAYS** from the mailing date of this notice,

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whichever is longer, within which to submit an amendment in compliance with 37 CFR 1.111 and 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Conclusion

A facsimile center has been established in Technology Center 1600. The hours of operation are Monday through Friday, 8:45 AM to 4:45 PM. The telecopier number for accessing the facsimile machine is 571-273-8300.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frank Choi whose telephone number is (571)272-0610. Examiner maintains a compressed schedule and may be reached Monday, Tuesday, Thursday, Friday, 6:00 am – 4:30 pm (EST).

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's Supervisor, Johann R. Richter, can be reached at (571)272-0646. Additionally, Technology Center 1600's Receptionist and Customer Service can be reached at (571) 272-1600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Frank Choi
Patent Examiner
Technology Center 1600
June 4, 2008

/Johann R. Richter/
Supervisory Patent Examiner, Art Unit 1616